

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

UNITED STATES OF AMERICA,	:	
Plaintiff,	:	
v.	:	Case No. 3:07-cr-173
ANTHONY BALTIMORE,	:	JUDGE WALTER H. RICE
Defendant.	:	

JUDGMENT ENTRY

On April 28, 2020, the Court issued a Decision and Entry, Doc. #345, Sustaining in Part and Overruling in Part Petitioner's First Amended Motion to Vacate Under 28 U.S.C. § 2255, Doc. #299, and directing the United States to reoffer the 17-year plea proposal within 45 days.

Pursuant to Fed. R. Civ. P. 58(a), Judgment is hereby entered in favor of Defendant and against Plaintiff on the Third Ground for Relief, and in favor of Plaintiff and against Defendant on the other five Grounds for Relief.

To the extent that the United States elects to appeal the Decision and Entry, and Baltimore files a cross-appeal, the Court would grant a certificate of appealability and leave to appeal *in forma pauperis* only with respect to any adverse findings made in connection with the Third Ground for Relief. No certificate of appealability is warranted with respect to the other five Grounds for

Relief asserted in the Petition, two of which have been abandoned (Fourth and Fifth Grounds). Neither does the Court grant an anticipated motion for leave to appeal *in forma pauperis* on Grounds One, Two, Four, Five and Six.

Date: May 1, 2020

/s/ Walter H. Rice (tp - per Judge Rice authorization after his review)

WALTER H. RICE

UNITED STATES DISTRICT JUDGE